

Bush Statement on Videotape, Bell Says

Iran-Contra Remarks Shouldn't Be 'Secret,' President's Lawyer Argues

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George Bush's sworn statement to Iran-contra prosecutors in 1988, while he was vice president, is on videotape and its release should not be prohibited by grand jury rules, said his lawyer, former attorney general Griffin B. Bell.

"This was the [vice] president of the United States giving a statement," Bell said. "He wasn't in a grand jury. What sort of country are we running if we're taking secret statements from a president?" Bell said in an interview late Thursday.

Bell, who was retained by President Bush on Wednesday, said one of his first efforts will be to gain release of the tape, presumably to allow the public to hear firsthand the president's denial of his knowledge of the arms-for-hostages deal.

Bell also said he expects that Bush will be able to turn over to federal prosecutors by Monday more of the private notes he kept on Iran-contra meetings that took place while he was vice president during the Reagan administration.

The existence of those notes—which came to light on Dec. 11, five years after Iran-contra independent counsel Lawrence E. Walsh asked Bush to turn over any relevant documents—prompted Walsh to accuse Bush of "misconduct" and to declare the president a "subject" of his investigation.

Bell has been retained by Bush to win release of Bush's statement and to take charge of his defense if Walsh pursues the investigation after Bush leaves office Jan. 20.

In refusing to release Bush's five-year-old statement to Iran-contra

prosecutors, Walsh's office has cited grand jury secrecy rules. While it is customary to withhold witness statements from the public while an investigation is under way, Bush asked that his statement be released. He made the request when he pardoned former defense secretary Caspar W. Weinberger and five other Iran-contra defendants on Christmas Eve.

"While no impartial person has seriously suggested that my own role in this matter is legally questionable, I have further requested that the independent counsel provide me with a copy of my sworn testimony to his office, which I am prepared to release immediately," Bush said at the time.

Bell said if grand jury secrecy is an obstacle, he and Walsh could easily resolve the problem by requesting permission for its release from a federal judge.

"The burden would be on Judge Walsh to explain why" the testimony should not be made public, Bell said.

"It's a statement by the president in a democratic society. If we were just trying to get it for defense purposes, that would be one thing," he said, but he noted that no charges have been lodged against Bush.

Bell's comments are the first public disclosure that the Bush deposition is on videotape, a fact that is likely to bring pressure from television networks to air the hours-long session.

Mary Belcher, a spokeswoman for Walsh, a former federal judge, said she could not comment on Bell's proposal because he has not yet discussed it with Walsh.

"We're not at a point in our investigation where we're able to respond to the White House's request" to release Bush's statement, she added.

As for the notes, some have been made available to Walsh's investigators. But Walsh said there are "gaps" in the daily documents, which were typed from a dictation tape.

At issue in the notes is whether Bush was aware of plans by members of the Reagan administration to sell U.S. arms secretly to Iran in exchange for the release of American hostages, with proceeds from the sales going to help finance anti-communist rebels in Nicaragua.

Bush has insisted that he was "out of the loop" on Iran arms sale discussions and never knew of the diversion of funds. But other testimony and notes kept by Weinberger have suggested otherwise.

Bell, attorney general during the Carter administration and a former federal appeals court judge, said he and five other attorneys from his Atlanta law firm are concentrating on the issues that have arisen over both Bush's statements and the notes, and hope to complete the fact-gathering work on both matters by the end of next week.

"We're looking at the notes, just trying to get a handle on the situation," Bell said. The lawyers will be "interviewing a lot of people who had something to do with" keeping and discovering the notes.

"It's the president's intention to give all the notes" to Walsh, Bell said. He said that he expects more to be turned over on Monday.